

REMARKS

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made."

Applicants request entry of the amendment to claim 11. By this amendment, Applicants expressly do not disclaim equivalents of the invention which could include antibodies which specifically bind to fragments of SEQ ID NO:1 having CoA dehydrogenase activity. Applicants do not concede to the Patent Office position; Applicants are amending the claim solely to obtain expeditious allowance of the instant application.

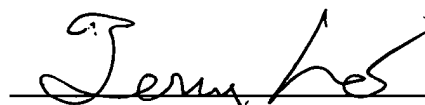
The amendment to claim 11 removes issues for appeal. Therefore, entry of the amendment is proper. Applicants reserve the right to prosecute non-elected subject matter in subsequent divisional applications.

If the Examiner contemplates other action, or if a telephone conference would expedite allowance of the claims, Applicants invite the Examiner to contact the undersigned at (650) 621-8581.

Applicants believe that no fee is due with this communication. However, if the USPTO determines that a fee is due, the Commissioner is hereby authorized to charge Deposit Account No. **09-0108**.

Respectfully submitted,
INCYTE CORPORATION

Date: June 30, 2003


Terence P. Lo, Ph.D.
Limited Recognition (37 C.F.R. § 10.9(b)) attached
Direct Dial Telephone: (650) 621-8581

Customer No.: 27904
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
Fax: (650) 849-8886

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 11 has been amended as follows:

11. (Thrice Amended) An isolated antibody selected from the group consisting of:

a) an antibody which specifically binds to a polypeptide comprising the amino acid sequence of SEQ ID NO:1, wherein the antibody specifically binds to an epitope of a polypeptide of SEQ ID NO:1,

b) an antibody which specifically binds to a polypeptide comprising a naturally occurring amino acid sequence at least 90% identical to the amino acid sequence of SEQ ID NO:1, wherein said polypeptide has CoA dehydrogenase activity, and wherein the antibody specifically binds to an epitope of a polypeptide at least 90% identical to SEQ ID NO:1, and

c) [an antibody which specifically binds to a polypeptide comprising a fragment of a polypeptide consisting of the amino acid sequence of SEQ ID NO:1, wherein said fragment has CoA dehydrogenase activity, and wherein the antibody specifically binds to an epitope of the fragment, and

d)] an antibody which specifically binds to a polypeptide comprising an immunogenic fragment of a polypeptide consisting of the amino acid sequence of SEQ ID NO:1, wherein said fragment comprises at least 15 contiguous amino acid residues of SEQ ID NO:1, and wherein the antibody specifically binds to an epitope of the fragment.